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BY KNH DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	Case No. '08 MJ 1667
v.	MATERIAL WITNESS COMPLAINT
JODALI ISABEL HERNANDEZ-MALDONADO, JOSE ACOSTA-MARTINEZ, LORENA ISABEL CORDERO-LOPEZ, MARISELA CRUZ-LOZANO Defendants.	18 U.S.C. § 3144,

The undersigned complainant being duly sworn states:

Beginning on an unknown date and continuing through May 16, 2008, within the Southern District of California, and elsewhere, witness JODALI ISABEL HERNANDEZ-MALDONADO, JOSE ACOSTA-MARTINEZ LORENA ISABEL CORDERO-LOPEZ, and MARISELA CRUZ-LOZANO, possessed and possesses information and has testimony material to a federal complaint now pending in the U.S. District Court for the Southern District of California, and whose whereabouts at the time of trial will be a foreign country, or unknown; and therefore, in accordance with Title 18, United States Code, Section 3144, a warrant for the arrest or each witness should be issued, and each witness should be detained until his/her testimony can be secured.

MICHAEL J. POZANC
Special Agent,
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence May 27, 2008.

JAN M. ADLER
United States Magistrate Judge

Affidavit in Support
of Material Witness Complaint For:

**JODALI ISABEL HERNANDEZ-MALDONADO;
JOSE ACOSTA-MARTINEZ;
LORENA ISABEL CORDERO-LOPEZ; and
MARISELA CRUZ-LOZANO**

MICHAEL J. POZANC, being duly sworn, deposes and says:

1. I am employed as a Special Agent of the Federal Bureau of Investigation (FBI) and have been so for more than ten years. I am currently assigned to the San Diego Division's Border Corruption Task Force and I investigate alien and/or narcotic smuggling organizations who utilize law enforcement officers assigned to various ports of entry in San Diego to facilitate their smuggling activities which is a violation of Title 8 U.S.C. Section 1324, Title 18 U.S.C. Section 952, and Title 18 U.S.C. Section 201. As a Special Agent for the FBI, I have participated in, and led, numerous corruption investigations involving Tijuana, B.C., Mexico based smuggling organizations. I have received formal and informal training provided by the FBI and other federal agencies.

2. This affidavit is made in support of a material witness complaint and arrest warrants, pursuant to Title 18, United States Code, Section 3144, for JODALI ISABEL HERNANDEZ-MALDONADO, JOSE ACOSTA-MARTINEZ, LORENA ISABEL CORDERO-LOPEZ and MARISELA CRUZ-LOZANO. This application seeks the Witnesses' detention so that their testimony may be secured for trial in the Southern District of California.

3. On May 16, 2008, a two-count federal complaint was filed in the Southern District of California, Magistrate Case No.

08MJ1534, charging Luis Francisco Alarid ("Alarid"), a Department of Homeland Security, Customs and Border Protection Officer, with: (a) Count 1 - conspiracy to import marijuana, in violation of Title 21, United States Code, Sections 952, 960 and 963; and (b) Count 2 - conspiracy to bring in aliens for financial gain, in violation of Title 18, United States Code, Section 371, and Title 8, United States Code, Section 1324(a)(2)(B)(ii).

4. On February 11, 2008, I received intelligence information that a Tijuana, B.C., Mexico, based smuggling organization was: utilizing a corrupt border official at the Otay Mesa Port of Entry to facilitate their smuggling ventures; usually conducting those smuggling ventures between 12:00 a.m. and 12:30 a.m.; and placing tape over certain digits of the license plates of the load vehicles being used in their smuggling ventures (in order to elude inspection by an electronic license plate reader).

5. On February 14, 2008, while conducting surveillance at the Otay Mesa Port of Entry, a gray minivan was observed entering the United States through lane number four at the Otay Mesa Port of Entry at approximately 12:15 a.m. The vehicle had tape covering the first and last digits of the license plate. The inspector assigned to lane number four was Alarid. At approximately 12:25 a.m., a tan/brown minivan was observed entering the United States through lane number three. This vehicle also had tape covering the first and last digits of the license plate. The inspector assigned to lane number three was Alarid. The vehicles were followed to two separate locations in Chula Vista, California, where the brown van

was ultimately stopped by the Chula Vista Police Department and discovered to contain ten illegal aliens.

6. On March 6, 2008, while conducting surveillance at the Otay Mesa Port of Entry, a white minivan was observed entering the United States through lane number four at approximately 12:56 a.m. The vehicle had tape covering the first and last digits of the license plate. All that was visible was "WDA 83." The inspector assigned to lane number 4, Alarid, observed that another inspector was approaching to relieve him. As a result, Alarid hurriedly allowed the vehicle to enter the United States with no inspection. The vehicle was ultimately followed to a house on Estelle Street in San Diego. At approximately 12:59 a.m., I observed a red minivan enter the United States through lane number three. This vehicle had a commercial license plate on the vehicle and the inspector assigned to lane number 3, Alarid, allowed the vehicle to enter the United States with no inspection. The red van was ultimately approached by the Chula Vista Police Department as a result of a concerned citizen complaint. The vehicle was found to contain 263 pounds of marijuana and four illegal aliens.

7. On March 13, 2006, while conducting surveillance at the Otay Mesa Port of Entry, a white minivan was observed entering the United States through lane number three at approximately 12:57am. The vehicle did not have tape covering the first and last digits of the license plate, however, the same middle digits of "WDA 83," were on this license plate. The inspector assigned to lane number three, Alarid, allowed the vehicle to enter the United States with

no inspection. The vehicle was ultimately stopped by the San Diego Police Department and discovered to contain 173 pounds of marijuana and 19 illegal aliens. The driver of the vehicle was Cesar Alarid Rebolledo, who was discovered to be the uncle of Alarid. Material witnesses Jodali Isabel HERNANDEZ-MALDONADO, Jose ACOSTA-MARTINEZ, Lorena Isabel CORDERO-LOPEZ, and Marisela CRUZ-LOZANO were among the 19 illegal aliens found in the load vehicle.

8. On April 4, 2008, at approximately 1:20a.m., at the Otay Mesa POE, the driver of a gray Nissan Pathfinder noticed that Alarid had switched to a different inspection lane. As a result, the driver and front seat passenger exited the vehicle and absconded to Mexico, leaving nine illegal aliens in the vehicle.

9. Material witnesses Jodali Isabel HERNANDEZ-MALDONADO, Jose ACOSTA-MARTINEZ, Lorena Isabel CORDERO-LOPEZ, and Marisela CRUZ-LOZANO, agree in summary that they are citizens and nationals of Mexico and are illegally present in the United States. They admit to entering the United States illegally. The material witnesses stated that they were to pay between $3,000.00 to $6,000.00 (U.S.) to be smuggled into the United States in the early hours of March 13, 2008. Jodali Isabel HERNANDEZ-MALDONADO, Jose ACOSTA-MARTINEZ and Marisela CRUZ-LOZANO were able to identify Cesar Alarid-Rebolledo, from a photograph, as the driver of the vehicle which smuggled them into the United States. Jodali Isabel HERNANDEZ-MALDONADO and Marisela CRUZ-LOZANO indicated that they paid for a "sure thing" which they believed meant that the

smuggling organization was paying an inspector at the border to allow them access to the United States.

10. I believe that, based on the facts set out above, there is no condition or combination of conditions that would reasonably assure the appearances of Jodali Isabel HERNANDEZ-MALDONADO, Jose ACOSTA-MARTINEZ, Lorena Isabel CORDERO-LOPEZ, and Marisela CRUZ-LOZANO. Accordingly, I respectfully request that a complaint and arrest warrants be issued for Jodali Isabel HERNANDEZ-MALDONADO, Jose ACOSTA-MARTINEZ, Lorena Isabel CORDERO-LOPEZ, and Marisela CRUZ-LOZANO.

WHEREFORE your affiant prays that the Court issue a material witness warrants for Jodali Isabel HERNANDEZ-MALDONADO, Jose ACOSTA-MARTINEZ, Lorena Isabel CORDERO-LOPEZ, and Marisela CRUZ-LOZANO, and that they be imprisoned or bailed as the case may be.

MICHAEL J. POZANC
Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence May 27, 2008,

JAN M. ADLER
United States Magistrate Judge